

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL AND LUFKIN DIVISIONS

COOPERVISION, INC.,)	Case No. 2:06-CV-149 RHC
)	
Plaintiff,)	
)	JURY
v)	
)	
CIBA VISION CORPORATION,)	
)	
Defendant.)	
)	
COOPERVISION, INC.,)	Case No. 9:06-CV-260 RHC
)	
Plaintiff,)	
)	JURY
v)	
)	
CIBA VISION CORPORATION,)	
)	
Defendant.)	
)	
)	

COOPERVISION'S LIMITATION OF CLAIMS PURSUANT TO COURT ORDER

The Court's January 3, 2007 Scheduling Order (C.A. 06-260, D.I. 27) and February 9, 2007 Scheduling Order (C.A. 06-149, D.I. 70 and C.A. 06-260, D.I. 48) (collectively, the "Scheduling Orders") require Plaintiff CooperVision, Inc. ("CooperVision") to "limit the number of asserted claims to no more than twenty (20) representative claims for both the 260 action and 149 action and notify the accused infringer and the court."

Currently pending before this Court is a motion to amend CooperVision's P.R. 3-1 infringement contentions to add five additional claims in the '706 patent. (C.A. 06-149, D.I. 71.) In light of the pending motion, CooperVision presents two alternative lists of the twenty claims it will limit itself to in compliance with the Scheduling Orders: one list based on the current claims in suit, and one list based on the claims in suit if the Court grant CooperVision's motion.

LIMITATION OF CLAIMS BASED ON CURRENT CLAIM IN SUIT

In compliance with the Scheduling Orders, CooperVision limits the asserted claims in suit to:

6,923,538: 2, 7 and 8.

6,923,706: 14.

6,467,903: 22, 29, 34 and 38.

6,857,740: 5, 8 and 11.

6,971,746: 1, 2, 4, 7 and 8.

7,133,174: 25.

7,134,753: 15, 16 and 22.

**LIMITATION OF CLAIMS CONTINGENT UPON GRANT OF MOTION TO AMEND
INFRINGEMENT CONTENTIONS**

If the Court grants CooperVision's pending motion to amend its infringement contentions, in compliance with the Scheduling Orders, CooperVision limits the asserted claim in suit to:

6,923,538: 2 and 7.

6,923,706: 1, 4, 8, 14 and 15.

6,467,903: 29, 34 and 38.

6,857,740: 8 and 11.

6,971,746: 1, 2, 4, 7 and 8

7,133,174: 25.

7,134,753: 15 and 22.

Respectfully submitted,

Dated: March 7, 2007

By: /s/ Jason G. Sheasby (By Authority)

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**ATTORNEYS FOR PLAINTIFF
COOPERVISION, INC.**

CERTIFICATE OF SERVICE

I hereby certify that on the foregoing was served using e-mail on all counsel of record on
March 7, 2007.

By: /s/ Jason G. Sheasby
Jason G. Sheasby